



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

Honorable Deborah Gist
Superintendent of Education
District of Columbia Public Schools
Office of the State Superintendent of Education
441 4th Street NW
Suite 350 North
Washington, District of Columbia 20001

FEB 18 2009

Dear Superintendent Gist:

During the week of December 8, 2009, a team from the U. S. Department of Education's (ED) Student Achievement and School Accountability Programs (SASA) office reviewed the District of Columbia, Office of the State Superintendent of Education's (OSSE) administration of the following programs authorized by the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act (NCLB):

- Title I, Part A (Basic);
- Title I, Part D (Neglected and Delinquent); and
- Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act (Education for Homeless Children and Youth) as amended by NCLB.

Enclosed is a report based upon this review.

The 2008-2009 fiscal year begins the third year of the second full cycle of monitoring for these requirements under NCLB. Based on five years of monitoring, we have learned significantly more about the status of States, districts, and schools in implementing the requirements of Title I. For the first time, ED has collected data on critical compliance issues under NCLB in all States. This knowledge has informed the current cycle of monitoring, and is reflected in the procedures and monitoring protocols utilized in the onsite review process.

The ESEA, as amended by NCLB, has increased the emphasis on accountability for all students, and has focused on States' responsibilities to work with districts and schools to improve instruction and student achievement. ED will continue to work closely with States to define their responsibilities in implementing the requirements of NCLB.

Monitoring for the Title I, Part A; Neglected or Delinquent; and Homeless Education programs will continue to be conducted in three broad areas – accountability; program improvement, parental involvement and options; and fiduciary responsibilities. Prior to, during, and following the onsite monitoring review, the ED team conducted a number of activities (described in the enclosed report) to verify compliance with the critical monitoring indicators in each of the three broad areas for all three programs.

The enclosed report contains a listing of the critical monitoring elements in each of the three areas for the three programs monitored, a description of the scope of the monitoring review, and the findings, required corrective actions, and recommendations that the team cited as a result of the review. The OSSE has 30 business days from receipt of this report to respond to all of the compliance issues contained herein. ED staff will review your response for sufficiency and will determine which areas are acceptable and which will require further documentation of implementation. ED will allow 30 business days for receipt of this further documentation if required. ED recognizes that some corrective actions may require longer than the prescribed 30 days, and in these instances ED will work with you to determine a reasonable timeline. In those instances where additional time is required to implement specific corrective actions, you must submit a request for such an extension in writing to ED, including a timeline for completion of all related actions.


Each State that participates in an onsite monitoring review and that has significant compliance findings in one or more of the programs monitored will have a condition placed on that program's grant award specifying that the State must submit (and receive approval of) documentation that all compliance issues identified in the monitoring report have been corrected. When documentation sufficient to address all compliance areas has been submitted and approved, ED will then remove the condition from your grant award.

Please be aware that the issues presented in the enclosed report reflect the status of compliance in the District of Columbia at the time of SASA's onsite review. OSSE may receive further communication from ED that will require it to address noncompliance occurring prior or subsequent to the onsite visit.

The ED team would like to thank Shanika Hope and her staff for their hard work and the assistance they provided prior to and during the review in gathering materials and providing access to information in a timely manner. The ED team was impressed with the efforts of your State's staff to implement the many requirements of the four programs monitored.

We look forward to working further with your staff to resolve the issues contained in this report and to improve the quality of Title I programs in the District of Columbia.

Sincerely,



Zollie Stevenson, Jr., Ph.D.
Director
Student Achievement and
School Accountability Programs

Enclosure

cc: Shanika Hope, Acting Title I Director
Deltonia N. Shropshire, Homeless Program Specialist
Sheryl Hamilton, NorD Coordinator

District of Columbia, Office of the State Superintendent of Education

December 8-12, 2008

Scope of Review: A team from the U.S. Department of Education's (ED) Student Achievement and School Accountability Programs (SASA) office monitored the District of Columbia, Office of the State Superintendent of Education (OSSE) the week of December 8-12, 2008. This was a comprehensive review of the OSSE's administration of the following programs authorized by the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act (NCLB): Title I, Part A; and Title I, Part D. Also reviewed was Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act (Education for Homeless Children and Youth), as amended by NCLB.

In conducting this comprehensive review, the SASA team carried out a number of major activities. In reviewing the Part A program, the SASA team conducted an analysis of State assessments and State Accountability System Plans, reviewed the effectiveness of the instructional improvement and instructional support measures established by the State to benefit local educational agencies (LEAs) and schools, and reviewed compliance with fiscal and administrative oversight requirements required of the State educational agency (SEA). During the on-site week, the ED team visited three LEAs—District of Columbia Public Schools (DCPS), Cesar Chavez Public Charter School (CCPCS) and IDEA Public Charter School (IPCS), interviewed administrative staff, interviewed school staff in the LEAs that have been identified for improvement, and conducted two parent meetings.

In its review of the Title I, Part D program, the ED team examined the State's application for funding, procedures and guidance for State agency (SA) applications under Subpart 1, technical assistance provided to SAs, the State's oversight and monitoring plan and activities, SA subgrant plans and local evaluations for projects operated by the Youth Services Center, and Oak Hill Academy. The ED team interviewed administrative staff from both programs. The ED team also interviewed the Title I, Part D State coordinator and the OSSE support staff to confirm the accuracy of information obtained and discussed administration of the program.

In its review of the Education for Homeless Children and Youth program (Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act), the ED team examined the State's procedures and guidance for the identification, enrollment, and retention of homeless students, technical assistance provided to LEAs, and the State's McKinney-Vento draft application. Homeless liaisons from the District of Columbia Public Schools and CCPCS were interviewed. The ED team also interviewed the McKinney-Vento State coordinator to confirm the accuracy of information obtained at the local site and discuss administration of the program.

Previous Audit Findings: The DC SEA has had numerous findings in successive State single audits for many years, many of which are recurring findings. The nature of the repeat findings has been monetary and procedural. The monetary findings of questioned costs have been tied to weak internal controls and failure to implement policies and procedures to safeguard the

expenditures of Title I funds. DC SEA is developing corrective actions for the procedural findings that were sustained and a corrective action plan for the repeat findings in 2003-2005 has been requested. DC SEA is in discussion with ED's Risk Management Service (RMS) about the remaining questioned costs and reaching agreement on further corrective action to ensure compliance with program requirements. The audit findings for 2006-2007 are under review and additional information from the auditors has been requested by the Office of Inspector General (OIG) in order to support the determination of what may be sustained and what additional corrective actions are required. ED continues to work with the DC SEA to address these issues through systemic correction action.

Previous Monitoring Findings: ED last reviewed Title I programs in the DC SEA in February 2006; several compliance findings from the 2006 review remain unresolved. ED identified compliance findings in the areas of private schools (funding, equitable participation, eligibility, and consultation), reallocation policies, requirements concerning property, equipment, and supplies purchased with Title I funds, and State committee of practitioners as a result of that review.

NOTE: During and following the on-site review, questions were raised about the statutory and regulatory requirements, particularly for Title I, Part A of the ESEA, for charter school LEAs with multiple campuses. At this time, ED is still discussing the matter internally and with the OSSE. Depending upon the outcome of those discussions, ED reserves the prerogative to include additional findings and recommendations related to the compliance of all applicable requirements related to charter school LEAs with multiple campuses.

Overarching Requirement – SEA Monitoring

A State's ability to fully and effectively implement the requirements of NCLB is directly related to the extent to which it is able to regularly monitor its LEAs and provide quality technical assistance based on identified needs. This principle applies across all Federal programs under NCLB.

Federal law does not specify the particular method or frequency with which States must monitor their grantees, and States have a great deal of flexibility in designing their monitoring systems. Whatever process is used, it is expected that States have mechanisms in place sufficient to ensure that they are able to collect and review critical implementation data with the frequency and intensity required to ensure effective (and fully compliant) programs under NCLB. Such a process should promote quality instruction and lead to achievement at the proficient or advanced level on State standards by all students.

Status:

Finding: The OSSE's procedures for monitoring its LEAs were insufficient to ensure that LEAs are operating in compliance with all ESEA requirements related to the Title I programs reviewed by ED. During the on-site review, the OSSE indicated that it had revised its LEA monitoring guidance and protocol and provided drafts of these documents as well as the draft schedule of LEAs to be monitored, but had not shared documents with its LEAs.

Citation: Section 80.40 of the Education Department General Administrative Regulations (EDGAR) states that grantees must monitor grant and subgrant activities to ensure compliance with applicable Federal requirements.

Section 9304(a) of the ESEA states that the SEA must ensure that (1) programs authorized under ESEA are administered in accordance with all applicable statutes, regulations, program plans, and applications; and (2) the State will use fiscal control and funds accounting procedures that will ensure the proper disbursement of and accounting for Federal funds.

Section 722(g)(2) of the ESEA specifies that State plans for the Education of Homeless Children and Youth program requires the State to ensure that LEAs will comply with the requirements of the McKinney-Vento statute.

Further action required: The OSSE must ensure that it has an effective method to monitor for compliance with all requirements of Title I, Parts A and D, and the McKinney-Vento Homeless Education Programs, including procedures to identify and correct issues of noncompliance. To accomplish this, the OSSE must finalize and provide the monitoring guidance protocol, including the monitoring tool and policy, to all LEAs. The OSSE must provide ED with a copy of the final monitoring tool, the monitoring schedule, and evidence that the schedule has been implemented.

Recommendation: During the on-site review, ED staff was informed that several guidance documents related to the implementation of Title I, Parts A and D and the Education for Homeless Children and Youth program had not yet been finalized and provided to the LEAs. The OSSE was in the process of developing revised guidance related to these programs. The OSSE should take steps to provide this guidance as soon as possible, particularly in future years, so that it can better inform the activities of its schools and districts.

Title I, Part A
Summary of Monitoring Indicators

Monitoring Area 1, Title I, Part A: Accountability			
Indicator	Description	Status	Page
1.1	SEA has an approved system of academic content standards, academic achievement standards and assessments (including alternate assessments) for all required subjects and grades, or has an approved timeline for developing them.	Finding	5
1.2	The SEA has implemented all required components as identified in its accountability workbook.	Findings Recommendation	6
1.3	The SEA has published an annual report card as required and an Annual Report to the Secretary.	Findings	7
1.4	The SEA has ensured that LEAs have published annual report cards as required.	Findings	8
1.5	The SEA indicates how funds received under Grants for State Assessments and related activities (Section 6111) will be or have been used to meet the 2005-06 and 2007-08 assessment requirements of NCLB.	Met Requirements	N/A
1.6	The SEA ensures that LEAs meet all requirements for identifying and assessing the academic achievement of limited English proficient students.	Met Requirements	N/A

Title I, Part A
Accountability

Indicator 1.1 – SEA has an approved system of academic content standards, academic achievement standards and assessments (including alternate assessments) for all required subjects and grades, or has an approved timeline for developing them.

Finding (1): The OSSE has implemented standards and assessments in all required grades. However, the OSSE is not able to document that all high school students participate in the science assessment. The high school science assessment is described as an end-of-course (EOC) test but the OSSE has not provided evidence that the assessment is aligned with the State's academic content standards in science or course content, that completion of the course is a graduation requirement for all students, nor that it has the data management capacity to provide accurate participation data for each annual cohort.

Citation: Section 1111(b)(3)(C) of the ESEA requires the State to implement science assessments administered at least once in grades 3-5, 6-9, and 10-12 by 2007-2008. The science assessments must be aligned with the State's academic content and achievement standards and must provide for the participation in such assessments of all students, including students with disabilities and students with limited English proficiency.

Further action required: The OSSE must provide evidence that the high school science assessment is aligned with the State's academic content and achievement standards, that all students are required to take the test, and that in 2007-2008 all students did participate in the assessment. If the assessment is designed and implemented as an end-of-course test, the OSSE must document that the following requirements have been met.

- The assessment is aligned with course content objectives and these are consistent with the State's academic content standards.
- All students have access to the course(s) addressed by the assessment and that the course(s) are required for graduation. In addition, students and their parents have received this information with sufficient advance notice to permit enrollment prior to the students' senior year.
- The OSSE has developed and is able to implement data management procedures that record course completion and assessment results for all students in the high school cohort of record each year.

Finding (2): One of the charter school LEAs visited reported that it does not send individual student assessment reports to parents and that it has not received guidance from OSSE that this is required.

Citation: Section 1111(b)(3)(C)(xii) of the ESEA requires the State to "produce individual student interpretive, descriptive and diagnostic reports...that allow parents, teachers and principals to understand and address the specific academic needs of students and include information regarding achievement on academic assessments aligned with the State academic achievement standards, and that are provided to parents, teachers and principals, as soon as is practicably possible after the assessment is given, in an understandable and uniform format, and to the extent practicable, in a language that parents can understand."

Further action required: The OSSE must provide guidance to the LEAs regarding timely distribution of individual student assessment reports and must monitor LEAs' implementation of this requirement. The OSSE must provide ED with copies of the guidance materials disseminated to LEAs as well as a description of the steps that the OSSE will take to ensure the timely delivery of individual student assessment results to parents.

Indicator 1.2 – The SEA has implemented all required components as identified in its accountability workbook.

Finding: The OSSE has counted students whose test scores have been defined by the SEA as invalid as participants in AYP calculations.

Citation: Section 1111(b)(2)(C) and Section 1111(b)(3)(C) of the ESEA require that adequate yearly progress (AY) be based primarily on the State's academic assessments and that results of those assessments be valid and reliable.

Further action required: The OSSE must stop counting as participants students whose assessment results are invalid. The OSSE has proposed activities to eliminate the inappropriate

use of assessment results based on non-standard accommodations and ED has agreed to include those activities in the Memorandum of Agreement (MOA) regarding assessments as amended January 15, 2009. The OSSE must provide ED with documentation of the completion of all material terms in the MOA that are scheduled prior to the deadline for responding to this monitoring report.

Recommendation: Discussion with LEA staff revealed widespread confusion regarding the accountability system. In several cases, the OSSE's confidence in the clarity of its communication was contradicted by local confusion or lack of understanding regarding basic elements of the accountability system. For example, some school staff said they did not know how their school was identified as In Need of Improvement. In other cases, there appeared to be a lack of agreement between the OSSE's definition of elements such as graduation rate and the information distributed by the Public School Charter Board. Much of this confusion could be eliminated by the creation and distribution of "business rules" that describe for local stakeholders how the various data elements are defined and incorporated in AYP calculations. Full implementation of the new data system provides an opportunity for the OSSE to document not only data entry requirements but also the manner in which different data elements contribute to AYP determinations at the school level. ED recommends that the OSSE continue recent efforts to improve communication regarding the assessment and accountability system by developing and disseminating materials that clarify the operation of the accountability system. The OSSE should also ensure that information posted on its website is correct and consistent with the current version of the State's accountability workbook.

Indicator 1.3 – The SEA has published an annual report card as required and an Annual Report to the Secretary.

Finding: The data posted on the OSSE website that is labeled "Report Card" contains only a limited number of the required components. All required data except the number of newly arrived LEP students exempted from the reading test are available somewhere on the OSSE website; however, the information is not assembled as a coherent and complete report as described in statute. Dissemination is limited to the website alone.

Citation: Section 1111 (h)(1) of the ESEA requires the State to "prepare and disseminate an annual State report card." The report card must be "concise and presented in an understandable and uniform format and, to the extent practicable, provided in a language that parents can understand."

Further action required: The OSSE must amend the State Report Card to include the number of recently arrived LEP students exempted from one administration of the State's reading/language arts assessment. (NOTE: this is a new requirement based on § 200.6(b)(4)(i)(C).) Further, the OSSE must provide ED with evidence that the revised State report card, including all required data elements, is made available to parents in a concise and understandable format.

Indicator 1.4 – The SEA has ensured that LEAs have published annual report cards as required.

Finding: District report cards do not include all required information. The LEAs visited reported that they rely on the OSSE website data file labeled “Report Card” to satisfy this requirement. As noted above, this webpage does not include most of the required elements. All LEAs reported that they had not received guidance from the OSSE regarding the complete Report Card requirements or guidance regarding the obligation to disseminate the information in a form and, to the extent practicable, in a language accessible to parents. One charter school LEA reported that posting the district achievement test data from the OSSE Report Card site on the school bulletin board was enough to satisfy the instructions received from the Public School Carter Board regarding the Report Card.

Citation: Section 1111(h)(2)(B) of the ESEA requires the SEA to ensure that each LEA include the following information in the LEA annual report as applied to the LEA and each school served by the LEA.

- Information, in the aggregate and disaggregated by required subgroups, on student achievement at each proficiency level on the State academic assessments;
- Information that provides a comparison between the actual achievement levels of each group of students and the State’s annual measurable objectives on each of the academic assessments required under this part;
- The percentage of students not tested for all required groups;
- The most recent two-year trend in student achievement in each subject area, and for each grade level, for which assessments under this section are required;
- Aggregate information on any other indicators used by the State;
- Graduation rates for secondary school students;
- The number of recently arrived LEP students exempted from one administration of the State’s reading/language arts assessment. (NOTE: this is a new requirement based on section 200.6(b)(4)(i)(C).)
- Information on the performance of the local educational agency regarding making adequate yearly progress, including the number and names of each school identified for school improvement under section 1116; and
- The professional qualifications of teachers in the State, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the State not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools.

Under Section 1111(h)(2)(B)(i) of the ESEA, in the case of an LEA this includes: (1) the number and percentage of schools identified for school improvement under section 1116(c) and how long the schools have been so identified; and (2) information that shows how students served by the local educational agency achieved on the statewide academic assessment compared to students in the State as a whole. Under Section 1111(h)(2)(B)(ii) of the ESEA, in the case of a school, this includes: (1) whether the school has been identified for school improvement, and (2) information that shows how the school’s students achieved on the statewide academic assessments and other indicators of adequate yearly progress compared to students in the LEA and the State as a whole.

Further action required: The OSSE must direct each LEA to prepare and disseminate a complete Report Card that includes all required data elements, including the required school-level information. The OSSE must submit to ED a copy of the guidance it provides to all districts as well as evidence that it monitors LEA implementation of the requirements. Alternatively, the OSSE may prepare and disseminate a complete Report Card for each of its LEAs, including the required reports for schools within the LEAs. In either case, after district and school reports based on 2007-2008 testing have been prepared, OSSE must submit to ED a sample of ten district reports and ten school reports from those districts, including reports from DCPS and at least one charter school LEA with multiple schools, such as CCPCS.

Monitoring Area 2, Title I, Part A: Program Improvement, Parental Involvement and Options			
Indicator	Description	Status	Page
2.1	The SEA has developed procedures to ensure the hiring and retention of qualified paraprofessionals.	Finding	10
2.2	The SEA has established a statewide system of support that provides, or provides for, technical assistance to LEAs and schools as required.	Recommendation	11
2.3	The SEA ensures that LEAs and schools meet parental involvement requirements.	Findings Recommendations	12
2.4	The SEA ensures that LEAs and schools identified for improvement, corrective action, or restructuring have met the requirements of being so identified.	Finding	13
2.5	The SEA ensures that requirements for public school choice are met.	Recommendation	14
2.6	The SEA ensures that requirements for the provision of supplemental educational services (SES) are met.	Recommendation	14
2.7	The SEA ensures that LEAs and schools develop schoolwide programs that use the flexibility provided to them by the statute to improve the academic achievement of all students in the school.	Recommendation	14
2.8	The SEA ensures that LEA targeted assistance programs meet all requirements.	Met Requirements	N/A

Title I, Part A

Monitoring Area 2: Program Improvement, Parental Involvement and Options

Indicator 2.1 – The SEA has developed procedures to ensure the hiring and retention of qualified paraprofessionals.

Finding: Although the OSSE has trained LEA staff on requirements for paraprofessionals, it has not ensured that all paraprofessionals in Title I schools meet qualification requirements. At the time of the visit, the OSSE had not collected and analyzed information on paraprofessionals for the 2008-2009 school year. However, based on information provided by DCPS, 94 instructional paraprofessionals placed in Title I classrooms did not meet the statutory requirements for the current school year. Further, in 2007 DCPS granted paraprofessionals hired prior to the enactment of NCLB an extra year to meet the highly qualified paraprofessional requirements.

Citation: Section 1119(c)(1) of the ESEA requires that new paraprofessionals hired after the date of enactment of the No Child Left Behind Act of 2001 and working in a program supported with Title I funds shall have: a) completed at least 2 years of study at an institution of higher education; b) obtained an associate's (or higher) degree; c) met a rigorous standard of quality and

can demonstrate, through a formal State or local academic assessment knowledge of, and the ability to assist in instructing, reading, writing and mathematics; or d) knowledge of and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness as appropriate. Section 1119(d) of the ESEA requires that all paraprofessionals hired before the date of enactment of the No Child Left Behind Act of 2001 and working in a program supported with Title I funds shall, not later than 4 years after the date of enactment, satisfy the requirements of subsection (c) listed above. Through a policy announcement from the Deputy Secretary, ED informed States that they would have until the last day of the 2005-2006 school year to comply with these requirements.

Further action required: Because ED noted a similar finding during the previous Title I monitoring visit in March 2006, the OSSE must take the following additional actions to ensure that all instructional paraprofessionals in Title I schools are highly qualified for the 2008-2009 school year and in subsequent years:

1. Review the status of instructional paraprofessionals working in Title I schools in DCPS and immediately direct DCPS to remove or reassign all instructional paraprofessionals who do not meet the qualification requirements. At the LEA's discretion, paraprofessionals who do not meet the qualification requirements may be reassigned to non-Title I duties and may be replaced with paraprofessionals who meet the qualification requirements. In no case may instructional paraprofessionals who do not meet the qualification requirements continue to be paid with Title I funds nor can they continue to serve in a schoolwide program or in Title I classrooms in a targeted assistance school.
2. Recover Title I funds inappropriately used to pay for the salary of any instructional paraprofessional in DCPS who did not meet the qualification requirements as of the first day of the 2008-2009 school year.
3. Prepare and disseminate to all its LEAs written guidance that fully describes (a) the paraprofessional requirements, (b) the OSSE's processes and timelines for annually collecting and verifying that all paraprofessionals in Title I schools meet the qualification requirements, and (c) specific corrective actions, with timelines, that the OSSE will take to ensure full compliance in cases where actions taken by DCPS and charter LEAs have not been timely or do not meet statutory requirements.

The OSSE must provide ED a written explanation, including timelines that detail how the SEA has addressed each of the actions noted above to resolve this finding.

Indicator 2.2 – The SEA has established a statewide system of support that provides, or provides for, technical assistance to LEAs and schools as required.

Recommendation: Although the OSSE provides an orientation to members of the State technical assistance teams and gathers periodic feedback from school staff regarding their effectiveness, the OSSE should consider establishing ongoing meetings with these teams to discuss their work and offer additional technical assistance as needed. Convening these teams on a monthly or bi-monthly basis would provide the OSSE an opportunity to keep team members

informed of the OSSE's overall school improvement initiatives and would provide the members of the State technical assistance teams with the opportunity to share effective practices and strategies in their assigned schools. Meeting with these State technical assistance teams on a more consistent basis throughout the school year would also help the OSSE to customize its support to team members and, when necessary, make needed adjustments to their scope of work.

Indicator 2.3 – The SEA ensures that LEAs and schools meet parental involvement requirements.

Finding (1): The OSSE has not consistently ensured that schools receiving Title I funds conduct an annual Title I meeting for parents. Principals interviewed in DCPS indicated that they discussed certain aspects of NCLB requirements such as school improvement status, public school choice, and SES at back-to-school nights/open houses, but did not necessarily provide information about specific Title I requirements or the use of Title I funds. Parents interviewed were unaware of what it meant to be a Title I school or that their school was operating a schoolwide program.

Citation: Section 1118(c)(1) of the ESEA requires each school served under Title I, Part A to convene an annual meeting, at a time convenient for parents, to inform them of their school's participation in Title I, Part A programs, and to explain the program requirements and their right to be involved. In order to keep parents informed, schools must invite to this meeting all parents of children participating in Title I, Part A programs and encourage them to attend. Schools must offer a flexible number of additional parental involvement meetings, such as in the morning or evening, so that as many parents as possible are able to attend.

Further action required: The OSSE must notify LEAs that each school receiving Title I funds must conduct an annual meeting for parents that includes information about the Title I program in each school. Further, the communication must remind LEAs that they must document this meeting with minutes, agendas, sign-in lists, etc. The OSSE must submit a copy of this notification to ED.

Finding (2): Although the OSSE provides guidance, technical assistance and information to LEAs regarding parental involvement requirements, the OSSE has not ensured that all Title I schools have consistently developed and distributed to parents a school-level parental involvement policy and school-parent compacts consistent with the requirements of the statute. At the time of the visit, the school-parent compact for Webb-Wheatley Elementary School had yet to be distributed to parents for the current school year. The principal of Webb-Wheatley Elementary School indicated that although a *Student and Family Handbook* had been distributed to parents, it did not include all the required components of the school's parental involvement policy and the school-parent compact. Additionally, the parental involvement policies and home-school compacts for Wheatley and Plummer Elementary Schools were not translated in the child's home language.

Citation: Section 1118(b)(1) of the ESEA requires each Title I school to jointly develop with and distribute to parents of participating children a written parental involvement policy, agreed on by such parents, that describes the means of carrying out the requirements in subsections (c)

through (f). Parents must be notified of the written parental involvement policy, including the school-parent compact, in an understandable and uniform format including alternative formats upon request, and, to the extent practicable, provide notice and the policy in a language that parents can understand. Schools must update these policies periodically to meet the changing needs of parents and the school.

Further action required: The OSSE must provide ED with a detailed plan and timeline for how it will ensure that DCPS will require each of its Title I schools to develop a school parental involvement policy and school-parent compact with parents of students attending the school and disseminate that policy and compact to its parents. The OSSE must provide ED with evidence that the plan has been implemented.

Recommendation (1): Based on the information gathered in meetings with parents conducted during the monitoring visit, the ED team concluded that parents are not clear about ways they can be involved in the LEA and/or school improvement planning processes. The ED team recommends that the OSSE provide technical assistance to LEAs and schools in evaluating the effectiveness of parental involvement activities. The technical assistance should also include information on how to create parental involvement activities that will help parents better understand the educational system, their role in the district and/or school improvement planning process, the choices they have, and how to take advantage of the opportunities available to them.

Recommendation (2): Based on information gathered in meetings with parents conducted during the visit, the ED team concluded that parents are not clear about the purpose of a schoolwide program or how they can be involved in the planning, implementation, and evaluation of such a program. ED recommends that the OSSE provide technical assistance to schools operating schoolwide programs to seek ways to increase parental involvement in these schools. One of the components of a schoolwide program requires the school to employ strategies to increase parental involvement (section 1114(b)(1)(F) of the ESEA). All parents in a schoolwide program school are eligible to participate in parental involvement activities. However, given that the focus of a schoolwide program is to raise the achievement of the lowest-achieving students, the OSSE should seek ways to provide technical assistance to staff of schoolwide program schools to ensure that their parental involvement activities include the parents of the lowest achieving students in order that they may better assist in the education of their children.

Recommendation (3): ED recommends that the OSSE seek the assistance of the District of Columbia Parent Information and Resource Center (DC-PIRC) to develop training materials on the parental involvement requirements under section 1118 of the ESEA for use by SEA staff responsible for parental involvement and members of the State technical assistance teams.

Indicator 2.4 – The SEA ensures that LEAs and schools identified for improvement, corrective action, or restructuring have met the requirements of being so identified.

Finding: The OSSE has not consistently ensured that Title I schools in restructuring status that are implementing the “other options” as it relates to school restructuring interventions provided in the ESEA meet the requirements under the statute. For example, the restructuring option

selected for Johnson Middle School focuses on a *Full-Service School Model* as a fundamental reform designed to continue improvement efforts around culture and climate and to place a larger emphasis on parental involvement. The model includes a continuum of socio-emotional interventions and instructional supports and methods to be available to service students with and without disabilities. It is not clear how the Full Service Model meets the “other options” requirements of the statute.

Citation: Section 1116(b)(8)(B)(v) of the ESEA permits an LEA to choose “any other major restructuring of the school’s governance arrangement that makes fundamental reforms, such as significant changes in the school’s staffing and governance, to improve academic achievement in the school and that has substantial promise of enabling the school to make adequate yearly progress.” On October 28, 2008, the Department released final regulations that clarify the intent of the statute, which is that restructuring must include a *significant change in the governance of a school that has not made AYP for five years*.

Further action required: The OSSE must collect and review all “any other” restructuring interventions selected by DCPS for schools that have not made AYP for five or more years. Based on this review, the OSSE must make a determination whether these “other restructuring interventions” meet the intent of the statute by including a significant change in the governance of the school. The OSSE must submit to ED the results of any determinations it has made and actions it has taken as a result of its review. A determination about whether additional actions are needed will be made by ED based on the evidence the OSSE submits.

Indicator 2.5 – The SEA ensures that requirements for public school choice are met.

Indicator 2.6 – The SEA ensures that requirements for the provision of supplemental educational services (SES) are met.

Recommendation: The OSSE should explore ways to collect and manage public school choice and SES data on a regular basis throughout the school year in order to make determinations about student participation. On-going collection of student participation data would assist the OSSE in conducting an analysis of LEA SES participation rates and, when such rates are low, review LEA implementation practices to determine the cause and establish methods and procedures to increase these rates where applicable.

Indicator 2.7 – The SEA ensures that LEAs and schools develop schoolwide programs that use the flexibility provided to them by the statute to improve the academic achievement of all students in the school.

Recommendation: The OSSE has revised its school improvement plan template to include all required schoolwide program plan components, consistent with section 1114 of the ESEA, for all schools that operate as schoolwide programs. However, based on the interviews with principals in schoolwide program schools, it appears that principals, especially new principals, may not be clear about the purpose of a schoolwide program or how schoolwide programs contribute to and intersect with their school improvement efforts. ED encourages the OSSE to provide additional

technical assistance and support to staff in schoolwide program schools to ensure that principals and staff in these schools are fully aware of the requirements of schoolwide programs. Additionally, the OSSE should consider working with the Mid-Atlantic Comprehensive Center to develop training materials on schoolwide program requirements for use by SEA Title I staff and members of the State technical assistance teams.

Monitoring Area 3, Title I, Part A: Fiduciary Responsibilities			
Indicator	Description	Status	Page
3.1	SEA complies with— <ul style="list-style-type: none"> • The procedures for adjusting ED-determined allocations outlined in sections 200.70 – 200.75 of the regulations. • The procedures for reserving funds for school improvement, State administration, and (where applicable) the State Academic Achievement Awards program. • The reallocation and carryover provisions in section 1126(c) and 1127 of Title I statute. 	Met Requirements	N/A
3.2	SEA ensures that its LEAs comply with the provision for submitting an annual application to the SEA and revising LEA plans as necessary to reflect substantial changes in the direction of the program.	Finding	17
3.3	SEA ensures that all its LEAs comply with the requirements in section 1113 of the Title I statute and sections 200.77 and 200.78 of the regulations with regard to (1) Reserving funds for the various set-asides either required or allowed under the statute, and (2) Allocating funds to eligible school attendance areas or schools in rank order of poverty based on the number of children from low-income families who reside in an eligible attendance area.	Met Requirements	N/A
3.4	<ul style="list-style-type: none"> • SEA complies with the maintenance of effort (MOE) provisions of Title I. • SEA ensures that its LEAs comply with the comparability provisions of Title I. • SEA ensures that Title I funds are used only to supplement or increase non-Federal sources used for the education of participating children and do not supplant funds from non-Federal sources. 	Finding	17
3.5	SEA ensures that its LEAs comply with all the auditee responsibilities specified in Subpart C, section 300(a) through (f) of OMB Circular A-133.	Met Requirement	N/A
3.6	SEA ensures that its LEAs comply with requirements regarding services to eligible private school children, their teachers and families.	Met Requirement	N/A
3.7	SEA complies with the requirement for implementing a system for ensuring prompt resolution of complaints.	Finding	18
3.8	SEA complies with the requirement to establish a Committee of Practitioners and involves the committee in decision-making as required.	Met Requirements	N/A

Title I, Part A

Monitoring Area 3: Fiduciary

Indicator 3.2 – SEA ensures that its LEAs comply with the provision for submitting an annual application to the SEA and revising LEA plans as necessary to reflect substantial changes in the direction of the program.

Finding: The OSSE has not ensured that guidance for LEA plan review and approval was clear or communicated to LEA officials (including charter schools). Interviews with DCPS officials and charter school officials indicated that they were not aware of criteria used for plan approval and they reported that plans had not received final approval at the time of the ED monitoring visit. Further, staff indicated that the LEA plan process was very prolonged, burdensome, and problematic. The ED team was informed that LEAs and schools must utilize other funds to carry out all required activities under NCLB pending receipt of their Title I allocation.

Citation: Section 80.40(a) of EDGAR requires that grantees are responsible for managing the day-to-day operations of grant and subgrant supported activities. Grantees must monitor grant and subgrant supported activities to ensure compliance with applicable Federal requirements and that performance goals are being achieved. Grantee monitoring must cover each program, function or activity.

Further action required: The OSSE must review, approve, and provide funding to its LEAs in a timely manner after an LEA plan is received, reviewed, and approved. The OSSE must submit to ED evidence that its LEAs have received their 2008-2009 Title I allocations. The OSSE must develop procedures to ensure the timely reviews and approval of all LEA applications for the 2008-2009 school year and beyond. The OSSE must submit these procedures to ED, along with documentation that its revised process has ensured timely plan approval and funding of its LEA for the 2009-2010 school year.

Indicator 3.4 – Fiscal Requirements: Maintenance of Effort, Comparability, and Supplement not Supplant

Finding: The OSSE has not ensured that it has developed operating policies and procedures for LEAs to prepare comparability reports. Interviews with the OSSE officials indicated that comparability guidance is currently being drafted but no final guidance has been prepared nor distributed to LEAs.

Citation: Section 1120A(c) of the ESEA states that an LEA may receive Title I, Part A funds only if State and local funds are used in participating Title I schools to provide services that, taken as a whole, are at least comparable to services in non-Title I schools.

Further action required: The OSSE must provide ED with a detailed description of how and when it informed LEAs of comparability requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The OSSE must also provide ED with a description of how it will ensure the correct implementation of this requirement. The OSSE must

submit to ED evidence that, for the 2008–2009 school year, LEAs have correctly calculated comparability.

Indicator 3.7 – SEA complies with the requirement for implementing a system for ensuring prompt resolution of complaints.

Finding: The DCPS' complaint procedures do not contain any information or directions on how and with whom private school officials are to file their complaints. None of the complaint procedures required in sections 1120 and 9503 of the ESEA was in the DCPS' complaint procedures or policies. The statute has specific requirements for private school officials to follow when filing a complaint of noncompliance by the LEA: the private school official provides the basis of the noncompliance by the LEA to the SEA, not the LEA. The DCPS' only responsibility is to forward the appropriate documentation to the OSSE, which resolves the complaint. In addition, the DCPS must provide private school officials with these specific procedures.

Further, the OSSE's complaint procedures provided at the time of the review did not contain the procedures that a private school official must use to file a complaint against an LEA for such issues as lack of timely and meaningful consultation by the LEA, no consideration given by the LEA to the views of the private school officials, or a dispute regarding low-income data. However, prior to this year's monitoring review, the OSSE submitted to SASA on April 29, 2008 the *Title I Reference Manual for Provision of Equitable Services to Private School Children, Their Teachers and Their Families* as documentation of compliance with Indicator 3.6 outstanding from the 2006 monitoring review. This reference manual does contain on page 21 the information and directions needed by private school officials to file complaints against the DCPS. No explanation was provided by the OSSE for the discrepancy. The OSSE cannot have two different complaint procedures.

Citations: Sections 1120(b)(5) and (c)(2) and section 9503 of the ESEA describe the complaint process and procedures that private school officials must use to file a complaint against an LEA for such issues as lack of timely and meaningful consultation by the LEA, no consideration given by the LEA to the views of the private school officials, or a dispute regarding low-income data. Sections 299.10 and 299.11 of the Code of Federal Regulations require (1) SEAs to adopt written complaint procedures and (2) LEAs to disseminate information about complaint processes to...appropriate private school officials.

Further action required: The OSSE must ensure that the DCPS has complaint procedures that describe how and to whom a private school official files a complaint in accordance with sections 1120(b)(5) and (c)(2) and section 9503 of the ESEA. The OSSE must provide ED with the amended pages of the revised complaint procedures for the DCPS. The OSSE must either revise the complaint procedures provided at the time of the review or use the procedures submitted in April 2008 and must provide ED with the correct copy of its complaint procedures.

**Title I, Part D
Summary of Monitoring Indicators**

Neglected, Delinquent or At-Risk of Dropping-Out Program			
Indicator	Description	Status	Page
1.1	The SEA has implemented all required components as identified in its Title I, Part D (N/D) plan.	Met Requirements	N/A
1.2	The SEA ensures that State agency (SA) plans for services to eligible N/D students meet all requirements.	Finding	19
1.3	The SEA ensures that local educational agency (LEA) plans for services to eligible N/D students meet all requirements.	Met Requirements	N/A
2.1	The SEA ensures that institution-wide programs developed by the SA under Subpart 1 use the flexibility provided to them by law to improve the academic achievement of all students in the school.	Finding	21
3.1	The SEA ensures each SA has reserved not less than 15 percent and not more than 30 percent of the amount it receives under Subpart 1 for transition services.	Met Requirements Recommendation	22
3.2	The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title I, Part D program requirements.	Met Requirements Recommendation	22

Indicator 1.2 - The SEA ensures that State agency (SA) plans for services to eligible N/D students meet all requirements.

Finding: The OSSE did not ensure timeliness in the SA application approval process and awarding of funds to State agencies. ED observed that the OSSE was still in the process of approving its new application form for Title I, Part D, Subpart 1 funds. Subpart 1 funds are awarded to SEAs in July of each fiscal year and SA applications should be received and approved within a reasonable time in order for the SEA to ensure that eligible neglected or delinquent students are being served throughout the grant period.

Citation: Subpart 1 of Title I, Part D, section 1412 of the ESEA requires SEAs to award subgrants to State agencies for children and youth residing in correctional facilities. EDGAR Part 76 Subpart 3, enumerates the SEA's general administrative responsibilities for subgrants as well as its fiscal control and fund accounting procedures. Section 76.702 of EDGAR states that an SEA and a subgrantee shall use fiscal control and fund accounting procedures that ensure proper disbursement of and accounting for Federal funds.

Further action required: The OSSE must submit to ED written documentation that its Subpart 1 funds have been awarded for the 2008-2009 school year. This documentation shall include the final SA application form, approved applications or letters of approval, and information concerning when the award amounts will be remitted to the SAs.

Indicator 2.1 – The SEA ensures that institutionwide programs developed by the SA under Subpart 1 use the flexibility provided to them by law to improve the academic achievement of all students in the school.

Finding: An SA subgrantee stated that it operates an institutionwide project although that section of the SA application was not included in the approved application submitted for review. The professional development and enrichment activities for all students described in the application and interview fit the description of an institutionwide project, but other elements of the project description are missing from the application, such as the needs assessment and plans for evaluation of the project.

Citation: Section 1416 of the ESEA outlines the requirements for a SA to operate an institutionwide project at a Title I, Part D-funded facility that must be approved by the SEA. A project description meeting the requirements of the eight elements outlined in the law must be written in the SA application approved by the SEA for each facility that operates an institutionwide project.

Further action required: The OSSE must submit to ED an approved institutionwide project description for the 2008-2009 school year for the Oak Hill Academy that includes the eight elements outlined in the law.

Indicator 3.1 – The SEA ensures each SA has reserved not less than 15 percent and not more than 30 percent of the amount it receives under Subpart 1 for transition services.

Recommendation: During the interview with SA representatives, one agency could not clearly identify the exact amount or percentage of its budget reservation for transition services, although the transition-related activities were clearly described in the application. ED recommends that the SA application require additional budget detail for transition services so that an exact amount and percentage of the total budget are indicated in the budget section of the application.

Indicator 3.2 – The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title I, Part D program requirements.

Recommendation: ED recommends that the OSSE create an annual program evaluation form for the program targets and performance data to accompany or be included in the annual grant application or required data submitted to ED through the Consolidated State Performance Report (CSPR) from each SA program. ED observed that some educational program evaluation was conducted at one facility; however, SA programs had used the data collected specifically to evaluate the Title I, Part D program.

**McKinney-Vento Homeless Education Program
Summary of Monitoring Indicators**

McKinney-Vento Homeless Education Program			
Indicator	Description	Status	Page
Indicator 1.1	The SEA collects and reports to ED assessment data from LEAs on the educational needs of homeless children and youth.	Met Requirements	N/A
Indicator 2.1	The SEA implements procedures to address the identification, enrollment and retention of homeless students.	Finding Recommendation	21
Indicator 2.2	The SEA provides, or provides for, technical assistance for LEAs to ensure appropriate implementation of the statute.	Met Requirements	N/A
Indicator 3.1	The SEA ensures that LEA subgrant plans for services to eligible homeless students meet all requirements.	Findings	22
Indicator 3.2	The SEA ensures that the LEA complies with providing comparable Title I, Part A services to homeless students attending non-Title I schools.	Met Requirements Recommendation	22
Indicator 3.3	The SEA has a system for ensuring the prompt resolution of disputes.	Met Requirements	N/A
Indicator 3.4	The SEA conducts monitoring of LEAs with and without subgrants, sufficient to ensure compliance with McKinney-Vento program requirements.	Met Requirements Recommendation	23

Indicator 2.1 – The SEA implements procedures to address the identification, enrollment and retention of homeless students.

Finding: The OSSE has not submitted to ED for approval a revised State plan for the Education of Homeless Children and Youth Program. The plan ED has on file was submitted by the DCPS in 2006, but it had not been revised after the OSSE assumed the SEA responsibilities.

Citation: Section 722(g) of the McKinney-Vento Homeless Assistance Act requires each State to submit to the Secretary of Education a plan to provide for the education of homeless children and youth within the State along with several assurances.

Further action required: The OSSE must submit to ED a State plan for the Education of Homeless Children and Youth program.

Recommendation: At the LEA interviews, neither liaison could provide information or records regarding which students are transported to their school of origin, for how long, or at what cost. LEAs submit written requests to the OSSE to provide transportation through bus tokens and other means, and the OSSE keeps these initial requests on file. While it is permissible for the OSSE to arrange and provide transportation for homeless students, ED recommends that the

OSSE provide periodic reports to the LEAs regarding which students are transported to their school of origin, for how long, and at what cost.

Indicator 3.1 – The SEA ensures that LEA subgrant plans for services to eligible homeless students meet all requirements.

Finding (1): The OSSE has not ensured that the McKinney-Vento subgrants had been awarded in a timely manner. ED observed that the McKinney-Vento subgrants for the 2008-2009 school year had not been awarded as of December 2008, although these funds were allocated in July 2008. Furthermore, the request for applications had not been approved for release at the time of the monitoring visit and subgrants were unlikely to be awarded before February 2009.

Citation: Section 723 of the McKinney-Vento Homeless Assistance Act states that the SEA shall, in accordance with the requirements of this subtitle, make competitive subgrants to LEAs that submit applications under subsection (b). EDGAR Part 76, Subpart 3 enumerates the SEA's general administrative responsibilities for subgrants as well as its fiscal control and fund accounting procedures. Section 76.702 of EDGAR states that an SEA and a subgrantee shall use fiscal control and fund accounting procedures that ensure proper disbursement of and accounting for Federal funds.

Further action required: The OSSE must submit to ED a timeline for soliciting grant applications and making awards for the 2009-2010 school year that will ensure that successful applicants receive funds by or before the start of the regular school year.

Finding (2): The OSSE is reserving more than 25 percent of its allocation for state activity funds. A draft RFA announced that 50 percent of its 2008-2009 allocation would be for subgrants to LEAs. Furthermore, all of the funds awarded to DCPS in July 2007 went to the OSSE when it was created in October 2007. None of those funds was awarded to LEAs under the OSSE oversight during the remaining nine months of the fiscal year.

Citation: Section 722(e)(1) of the McKinney-Vento Homeless Assistance Act identifies the minimum disbursement by States of their McKinney-Vento allocations of not less than 75 percent of subgrants to LEAs for the purposes of carrying out section 723 of the ESEA.

Further action required: The OSSE must submit to ED evidence that it has awarded a minimum of 75 percent of its 2008-2009 McKinney-Vento allocation to LEAs through a competitive subgrant process.

Indicator 3.2 – The SEA ensures that LEAs comply with providing comparable Title I, Part A services to homeless students attending non-Title I schools.

Recommendation: ED observed little evidence of Title I and McKinney-Vento coordination at the local level. DCPS did reserve funds from Title I, Part A to provide comparable services to homeless students. However, the liaisons interviewed were not consulted by the Title I coordinator to determine the reservation amount, nor were they consulted in the description of services in the Title I program as it relates to homeless students. ED recommends that the OSSE

provide technical assistance to LEAs and monitor more closely for coordination between the two programs.

Indicator 3.4 – The SEA conducts monitoring of LEAs with and without subgrants, sufficient to ensure compliance with McKinney-Vento program requirements.

Recommendation: ED observed that CSPR data for 2006-2007 listed DCPS schools as separate LEAs. Furthermore, public charter schools were not under the OSSE oversight until October 2007. ED recommends that the OSSE not only ensures that all LEAs submit complete and accurate homeless student data, but that they use these data for educational needs assessments and program evaluation for the McKinney-Vento grant program.